

The Yuma County Board of Adjustment met in a regular session on April 19, 2022. The meeting was held at Aldrich Auditorium at 2351 West 26th Street, Yuma, Arizona.

CALL TO ORDER: At 1:00 p.m., Chairman Saltzer convened the Board of Adjustment meeting. Board Members present: Tim Eisenmann and Eric Saltzer. Board Member Neil Tucker was present via telephone. Board Members Rosalie Lines and Joe Harper were absent. Others present: Planning Director Maggie Castro, AICP; Associate Planner Jesus Carrillo; and PZ Commission Admin Specialist Amber Kelly.

PLEDGE OF ALLEGIANCE: Chairman Saltzer led the Pledge of Allegiance.

ITEM No. 3: Approval of the Board of Adjustment regular meeting minutes of March 15, 2022.

MOTION (EISENMANN/TUCKER): Approve as presented.

ROLL CALL VOTE: Eisenmann – AYE; Saltzer- AYE; Tucker- AYE.
The motion carried 3-0.

ITEM No. 4: Variance Case No. 22-01: Chris Morris, agent for James Cobb, requests a variance from the development standards of Martinez Lake Resort Unit No. 1 Planned Development to allow a building height of 36 feet on a parcel 1,321 square feet in size zoned Planned Development (PD), Assessor's Parcel Number 459-50-015, located at 10431 East Tule Road, Yuma, Arizona

Associate Planner Jesus Carrillo presented the staff report recommending approval of Variance Case No. 22-01 based on:

1. Staff finds there are peculiar conditions applicable to the subject property.
2. Staff finds there are specific peculiar conditions applicable to this property to warrant granting of this variance.
3. Staff finds approval of this request will not have adverse effects on public health, safety, and welfare.

If the Board of Adjustment approves this Variance, staff suggests attaching the following conditions:

1. This variance is valid for the time limits outlined in Section 403.07.08 of the Zoning Ordinance.
2. All required permits must be issued and finalized according to adopted Building and Fire Code requirements of Yuma County.

Chairman Saltzer opened the public hearing.

Chris Morris, 291 South Main Street, Yuma, Arizona, agent, explained the subject variance originally had requested a 40 foot height and it was denied. He stated he made accommodations within the design to reduce the building size to 36 feet high that is now being requested. He explained the 36 foot height request would bring the building into the cohesiveness of the surrounding area.

Board Member Eisenmann inquired if the 36 foot height would be enough height to accomplish the owners design.

Mr. Morris stated the owner had to give up some of the extra amenities to reduce the height of the building. He explained the different reasons they originally requested the 40 foot height.

Board Member Eisenmann inquired if parking to the home would be provided on the first floor.

Mr. Morris stated there was four parking spaces available as required per the Zoning Ordinance.

Board Member Saltzer inquired what the garage height was.

Mr. Morris stated the garage was 10 feet high.

There being no one else to come forward, Chairman Saltzer closed the public hearing.

Board Member Tucker stated the request was consistent with what has been approved and what the Board members viewed during the field trip to Martinez Lake.

Board Member Saltzer stated he agreed and stated he would like to make a proposal later in the meeting.

Deputy County Attorney Ed Feheley stated Board Member Saltzer could make his proposal based on the tour to Martinez Lake relates to the subject variance case.

Board Member Saltzer stated he would like to propose that the next Board of Adjustment meeting staff open up board discussions about the tour of Martinez Lake and get on record the consensus of what the board reviewed.

MOTION (EISENMANN/TUCKER): Approve Variance Case No.22-01 subject to the conditions recommended by staff.

ROLL CALL VOTE: Eisenmann – AYE; Saltzer- AYE; Tucker- AYE.
The motion carried 3-0.

ITEM No. 5: Variance Case No. 22-03: Chris Morris, agent for Randall and Thomasina Weathington, requests a variance from the Yuma County Zoning Ordinance, Section 609.05-Principal Buildings Setback Requirements, to allow a rear yard setback of seven feet on a parcel 6,970 square feet in size zoned Recreational Vehicle Subdivision (RVS), Assessor's Parcel Number 728-48-169, located at 13754 East 51st Lane, Yuma, Arizona.

Associate Planner Jesus Carrillo presented the staff report recommending approval of Variance Case No. 22-03 based on:

1. Staff finds approval of this request may not have adverse effects on public health, safety, and welfare.

2. Staff finds approval of this variance does not confer a special privilege since the current condition of the structure was not created by the applicants.
3. Staff finds this request does not appear to have a negative impact on the neighborhood.

If the Board of Adjustment approves this Variance, staff suggests attaching the following conditions:

1. This variance is valid for the time limits outlined in Section 403.07.08 of the Zoning Ordinance.
2. The owner shall obtain a change of occupancy permit within 180 days of approval by the Board of Adjustment and shall meet the requirements of the 2018 International Residential Code.
3. Approval of this variance is based on the site plan submitted. Any deviation from the site plan will require approval of a new variance by the Board of Adjustment.

Board Member Eisenmann inquired about the structure that was close to the property line in the aerial image.

Associate Planner Jesus Carrillo stated during the site visit the structure had been taken down. He explained the applicant could further answer the question.

Chairman Saltzer opened the public hearing.

Chris Morris, 291 South Main Street, Yuma, Arizona, agent, explained the history of the building and stated the intent of the variance for the setbacks was to bring the property into compliance and adhere to the County codes.

Board Member Eisenmann inquired about the parking.

Thomasina Weathington, 13754 East 51st Lane, Yuma, Arizona, applicant, explained where the parking for the property was and the changes that had been made since the aerial image was taken.

Randall Weathington, 13754 East 51st Lane, Yuma, Arizona, applicant, explained he picked up the permit and realized the permit had a 10 foot setback instead of the correct setback of 7 feet. He contacted staff and applied for a variance because he wanted to ensure he was in compliance.

Mr. Morris reiterated the permit had a 10 foot setback. However, when the applicant measured it was a 7 foot setback. He explained the applicant made sure everything was done legally and conforming.

There being no one else to come forward, Chairman Saltzer closed the public hearing.


MOTION (TUCKER/EISENMANN): Approve Variance Case No.22-03 including staffs recommendations.

ROLL CALL VOTE: Eisenmann – AYE; Saltzer- AYE; Tucker- AYE.
The motion carried 3-0.

ITEM No. 6: Discussion by the Board members and Planning Director of events attended, current events, and the schedule for future Board of Adjustment meetings.

There being no further business to come before the Board, the Chairman adjourned the meeting at 1:19 p.m.

Approved and accepted on this 17th day of May, 2022.



Eric Saltzer, Chairman

ATTEST:



Maggie Castro, AICP, Planning Director